

---

**JAMES L. DRIESSEN, PRO SE, [jd@driessenlaw.com](mailto:jd@driessenlaw.com), USB #09473**  
MARGUERITE A. DRIESSEN, PRO SE, [mad@driessenlaw.com](mailto:mad@driessenlaw.com)  
305 N 1130 E, LINDON, UT 84042  
PHONE (801)796-6924  
FAX (801)785-2744

## UNITED STATES DISTRICT COURT

District of Utah, Central Division

	)	<b>PLAINTIFFS' MEMORANDUM</b>
	)	<b>OF OPPOSITION TO</b>
James L. Driessen and Marguerite A. Driessen	)	<b>DEFENDANTS' MOTION FOR</b>
	)	<b>EXTENSION OF TIME</b>
	)	<b>TO RESPOND TO MARKMAN BRIEF</b>
	)	<b>AND REPLY IN SUPPORT OF</b>
Plaintiffs	)	<b>MOTIONS FOR SUMMARY</b>
	)	<b>JUDGMENT</b>
v.	)	
	)	CASE NUMBER: 2:09-cv-00140
Sony Music Entertainment et, al,	)	Judge: Clark Waddoups
Defendants	)	
	)	

---

Plaintiffs Marguerite Driessen, Pro Se, and James Driessen, Pro Se, do herein object to Defendants MOTION FOR EXTENSION OF TIME TO RESPOND TO MARKMAN BRIEF AND REPLY IN SUPPORT OF MOTIONS FOR SUMMARY JUDGMENT (Dkt. 208).

Plaintiffs would not have objected to a request for extra time for cause generally, but do object to extra time for unreasonable purposes. Had Counsel for Defendants, James Pistorino (Hereafter sometimes just "Counsel") communicated that he would be traveling or had health issues, or any reasonable good faith need for the extra time, Plaintiffs would not have objected. However, Defendants' only reason for the request is to have time to depose Plaintiff's expert and so that Defendants can consolidate their responses into one response. Plaintiffs object to Defendants

stated reasons for requesting more time on the basis that the current Order for Interim Scheduling is very specific and limited and Defendants request departs from those limited purposes.

If Defendants are concerned that their present motions, which argue only that the patent claims on their face are so deficient that no factual inquiries are required, are no longer pertinent in these proceedings, then Defendants should so now move. Plaintiffs could then respond to such a motion and the Court may consider adjustments to its interim order accordingly so that factual contentions may be explored by both parties. Otherwise, the Court should Order the proceedings to move ahead as scheduled, early stage motions be heard, and early stage Markman issues considered. To the extent that Defendants concede that factual discovery is necessary to resolve the pending motions, then it is clear that the contested claims cannot be facially invalid. Therefore, Plaintiffs respectfully request that Defendants pending motions be denied and the court should enter an Order directing that the parties should meet and schedule fact discovery and move this case forward.

Respectfully submitted this 11th day of April, 2014

BY: /s/James L. Driessen  
For James and Marguerite Driessen, Plaintiffs, Pro Se